

# Pete's Accomplishments in the 109th Congress

Accomplishments Archive: 109th, 108th, 107th, 106th, 105th, 104th

This document provides an overview of Rep. Stark's major initiatives, positions, and accomplishments in the 109th Congress (January 2005 -- December 2006).

## HEALTH

As the Ranking Democrat and former Chairman of the Ways and Means Subcommittee on Health, Rep. Stark is one of the nation's foremost experts on Medicare and health policy. He is an outspoken proponent for universal health care; minimizing waste, fraud and abuse in our health care system; and preventing the erosion of health coverage in America.

## MEDICARE

**The New Medicare Prescription Drug Program:** In November of 2003, Congress passed and the President signed into law legislation creating a new Medicare prescription drug program. Though Stark is a long-time advocate of adding a prescription drug benefit to Medicare, he led the opposition to this bill and he and most of his Democratic colleagues voted against it. The law added an inadequate, complex, private drug program to Medicare and endangered Medicare's future through numerous privatization provisions.

Open enrollment began on November 15, 2005 and coverage started on January 1, 2006. Since its inception, "Part D" has been fraught with problems. Republicans, Democrats, and advocates agreed that educating Medicare beneficiaries about the new program would be key to its success. Yet the Centers for Medicare and Medicaid Services (CMS) initially mailed empty envelopes to seniors instead of informative letters. The agency ran a million-dollar advertisement with inaccurate and misleading information. Perhaps most importantly, CMS's annual Medicare & You Handbook, which beneficiaries use as their main resource, included inaccurate information about the new drug program. The Handbook would have had more errors had Stark had not obtained an early draft from consumer advocates and advised CMS Administrator Mark McClellan of the Handbook's deficiencies. CMS then some, but not all, of Stark's comments into the final Handbook.

In all but two states, the program forces seniors citizens to choose from more than three dozen private drug plans, each with a different formulary, cost-sharing arrangement, and procedure for accessing necessary medications. Yet seniors and people with disabilities lack a standard means for comparing plans. The Bush Administration promised that the Medicare website would provide all of the needed information. But 75 percent of the elderly report that they have never been online.

Even worse, when enrollment began, Medicare beneficiaries and their advocates were unable to gain access to the website, 1-800 Medicare was so overwhelmed that seniors couldn't get through, and private drug plans were providing different answers than were the Medicare hotline and website.

It was clear to Stark that implementation was not going to go smoothly. That's why he acted early.

In September 2005, he introduced the Medicare Informed Choice Act (HR 3861). This legislation recognized that the transition to this new drug program would be difficult. To ensure that people had time to study this complex new program and make educated, appropriate choices for drug coverage, the bill proposed to extend the open enrollment deadline from the law's May 15th, 2006 date through the end of 2006 and eliminate the corresponding late enrollment penalty. The bill also addressed two other problems. Recognizing that people might initially choose the wrong plan or enroll in a plan that later in the year stops covering the drugs they need, it would allow people to switch plans once in the first year. Under current law, beneficiaries are locked into their plan for the entire year. It would also protect retirees from inadvertently losing existing health benefits if they accidentally signed up for a private drug plan that nullifies retiree coverage.

In October of 2005, Stark sent a newsletter to his constituents that explained the new Medicare drug program and provided advice on who to contact for help getting enrolled. Many Democratic Members of Congress used Stark's letter as a model for constituent communication on the issue.

Given the misinformation and confusion surrounding the first year of this program, it is clear that the Medicare Informed Choice Act would have made a difference. According to the nonpartisan Congressional Budget Office, the Act would have enabled another million people to enroll in drug coverage this year and would have lowered late-enrollment penalties for seven million Medicare beneficiaries for the rest of their lives. The legislation had the support of 174 Members of Congress and was endorsed by virtually all of the advocates for seniors and consumers. But the Republican leadership refused to allow the legislation to come up for a vote, and the May 15th deadline was allowed to go into effect. As a result, about five million people eligible for a Part D drug plan have failed to enroll — a substantial majority of whom have low-incomes and would be eligible for cost-sharing subsidies.

The prescription drug program has many shortcomings, and Stark has supported or led efforts to fix these problems. For example:

**Negotiating Drug Discounts:** The law explicitly prohibits the government from negotiating with drug companies for discounts on prescription drug prices. As a result, prices are significantly higher than they would be through negotiation. According to a report produced by the House Government Reform Committee's Democratic staff, prescription drug program prices are 75 percent higher than those

negotiated by the Veterans Administration and 60 percent higher than in Canada. They are also higher than the prices at Drugstore.com and Costco.

Stark has co-sponsored several bills (including H.R. 752) that override the existing prohibition and require the Secretary to negotiate discounted drug prices.

**A Drug Benefit in Medicare:** One of the fundamental flaws of the Republican drug bill is that it doesn't provide a real drug benefit in Medicare. Instead, people are forced to purchase coverage through a private plan. Stark supports changing the Republican drug bill to put a stable, national drug benefit in Medicare.

**Benefiting People Rather than HMOs and Drug Companies:**

Stark supports amending the prescription drug law to eliminate excessive subsidies to HMOs, insurance companies and pharmaceutical firms and apply those funds to reducing the donut hole.

**Drug Benefit Oversight:** Stark is committed to conducting strict oversight of the Medicare prescription drug program — and all government programs.

Unfortunately, the Republican Congress has demonstrated no interest in performing needed oversight, instead opting to protect "their" administration and special interest friends. Stark led efforts to attempt to force the Committee on Ways and Means to conduct oversight of the drug program. It took three letters (1, 2, 3) over the course of 18 months and countless oral requests during hearings on other topics before Republicans agreed to hold a single hearing. At that hearing, they refused to allow witnesses that were integral to measuring the success of the program. Stark led Democrats on the Committee in exerting one of the minority party's few rights and called for a second day of hearings. During the hearing's second day, Democrats were able to bring forth additional witnesses who were able to highlight important deficiencies and needs in the new drug program.

## Reports

Stark worked with colleagues in Congress and with outside experts — like the Government Accountability Office — to perform oversight on the new Medicare prescription drug program. To that end, he released four reports in the 109th Congress.

Government Reform Democratic Staff Report: Stark, and his Bay Area Democratic colleagues, released this report on March 6, 2006 which analyzed Bay Area prices for drugs in new Medicare drug plans. It found that the new plans failed to provide meaningful discounts — with prices that were 75% higher than the price paid by the Veterans Administration.

GAO Report released May 3, 2006: Highlights serious deficiencies in the information Medicare is providing to beneficiaries about the new drug program. In short, it found that the 1-800 Medicare hotline provided inaccurate, incomplete or inappropriate responses to one-third of basic questions. On one key question — which plan offered the lowest costs for individual who take a given set of drugs — the Medicare hotline was wrong almost 60% of the time.

GAO Report released July 12, 2006: In addition to Medicare failing to provide accurate information to beneficiaries, this study found that private drug plans in Medicare were similarly providing inaccurate and incomplete information two-thirds of the time.

Ways & Means Democratic Staff Report: This report analyzed data released by the Centers on Medicare and Medicaid Services to determine how many people nationwide — and on a state by state basis — were in danger of falling into the donut hole in the Medicare drug program. It studied people who purchased their own private drug plan coverage in Medicare (and who were not eligible for low income assistance). Nationwide, it found that 88% of them — 7 million people — are in plans with a donut hole in their benefit design. The report also highlights that in most states there is only one private drug plan available that fills in the donut hole and on average it costs 250% higher than standard plans. The data is also broken down on a state specific level.

## IMPROVING MEDICARE

Physician payments: Stark recognizes that for Medicare to continue to operate effectively, physicians and other health care providers much continue to contract with it to provide services. Current law will enforce per service payment cuts to physicians and certain non-physician providers. In 2005, Stark authored legislation (H.R. 4520) to put those cuts on hold for two years and to require the Medicare Payment Advisory Committee (an expert commission that advises Congress on Medicare payment policy) to come forth with recommendations to revise the payment formula in the law to correct this ongoing problem.

Though his legislation was not enacted per se, the Deficit Reduction Act of 2005, which did become law, put a one-year hold on payment reductions for 2006 and included the language authored by Stark to provide recommendations for a long-term solution to this problem. MEDPAC is conducting this study now and expects to have a report to Congress in the spring of 2007.

**Advancing Health Information Technology:** Expanding the use of health information technology (IT) holds the promise of reducing costs and improving quality. Stark believes strongly that the federal government needs to provide leadership in order to establish standards for interoperability, provide incentives for adoption and ultimately hold providers accountable for using IT in clinical practice. Unfortunately, legislation currently under consideration in Congress falls far short of these goals. The proposed legislation fails to guarantee that sensitive medical information will be protected in an electronic environment, and could lead to increased fraud and abuse. Stark will continue to lead the charge for widespread adoption of a health IT system that will help patients and payers achieve the efficiencies and clinical improvements that are possible under an interoperable health information technology system.

**Preventing Waste, Fraud & Abuse:** The Joint Commission on the Accreditation of Health Care Organizations (JCAHO) is the only private organization named in the Medicare statute with the authority to certify hospitals as meeting federal Medicare standards. Unfortunately, JCAHO has fallen down on the job — in part because of numerous conflicts of interest. JCAHO is paid and run by the very facilities it regulates, many of whose executives serve on its board. JCAHO has historically announced inspections ahead of time, providing hospitals and other health care organizations the opportunity to prepare for review. Finally, JCAHO also owns a separate line of business that provides consulting services to health care organizations interested in passing inspections. Stark has raised concerns and performed oversight on JCAHO for years. Most recently, he has worked with Sen. Chuck Grassley (R-IA) and Senator Baucus (D-MT), the Chairman and Ranking Member of the Senate Finance Committee, to obtain information about JCAHO's business practices. A GAO report requested by Stark and Grassley and issued in July 2004 showed that JCAHO inspectors failed to identify a substantial majority of serious deficiencies in problem hospitals, which prompted the introduction of legislation to remove JCAHO's special statutory protection. Stark, Grassley and Baucus are continuing to work to review and reform Medicare's accreditation process

**Drug Safety:** Stark is a tireless champion for putting patients interests ahead of pharmaceutical company profits. In the wake of the Vioxx scandal, Stark introduced legislation to hold pharmaceutical manufacturers accountable for rushing products to market that they knew had serious risks. The Pharmaceutical Research and Manufacturers Accountability (PhRMA) Act (H.R. 870) would impose large fines and send drug industry CEO's and other executives to jail for a minimum of 20 years if they knowingly conceal serious adverse drug experiences that are discovered during testing. Stark intends to introduce legislation that requires government agencies to share information from drug manufacturers and others with each other and researchers in order to improve safety monitoring and conduct comparative effectiveness research..

Stark also authored the Prescription Drug Safety and Affordability Act (H.R. 4706). This legislation would take away the huge tax deductions pharmaceutical manufacturers currently receive for the billions they

spend wining and dining physicians in an attempt to influence prescribing patterns.

Physician offices are flooded each day by a convoy of pharmaceutical sales representatives trying to get doctors to prescribe particular drugs. These salesmen use private databases to analyze individual physician prescribing patterns and target their lavish gifts to doctors who prescribe certain drugs. To end this immoral practice Stark joined Representative Frank Pallone in authoring the Prescription Privacy Protection Act (H.R. 5945). This bill would prohibit pharmaceutical manufacturers from using physician specific prescribing information for commercial purposes.

Medicare Mental Health Parity: Medicare cost-sharing for outpatient mental health services is higher than cost-sharing for medical services and suffers from other problems. Stark introduced the Medicare Mental Health Modernization Act (H.R. 1946) to update Medicare's mental health coverage to provide parity and to modernize the benefit in a manner that would improve coverage and save taxpayers' money.

## EXPANDING HEALTH COVERAGE

While Congressional debate on improving our health system has stagnated in recent years, Stark remains committed to finding solutions to address the serious, rising concerns of coverage related to coverage, cost, and quality. To get the discussion back on track, Stark has proposed a Constitutional Amendment (H. J. Res. 30) to make health care a right for everyone. The proposed amendment will help shift the debate from whether to provide universal health coverage to how we will accomplish this goal.

AMERICARE: In answer to the question of how to achieve universal coverage, Congressman Stark recently introduced the AmeriCare Health Care Act (H.R. 5886), a common sense proposal that builds on what works today &ndash; Medicare and employer-based benefits &ndash; to provide universal coverage with minimal disruption to our current health care system. Under AmeriCare, people could continue to obtain health insurance through their employer &ndash; as most of us currently do &ndash; or they would be covered under the new AmeriCare system, modeled on Medicare. AmeriCare has been endorsed by the AFL-CIO, the American Academy of Pediatrics, the American Nurses Association, the Center for Medicare Advocacy, Consumers' Union, Families USA, the National Association of Community Health Centers, SEIU, and the Universal Health Care Action Network.

PROVIDING HEALTH INSURANCE COVERAGE TO ALL CHILDREN: Nearly one in five children lives below the poverty line &ndash; the highest level of any age group. Despite programs that provide health insurance coverage for kids, more than 8 million children remain uninsured, and the most recent Census data showed the first increase in the number of uninsured children since 1998. Building on the successful Medicare program, Congressman Stark's MediKids Health Insurance Act (H.R. 3055) would establish a comprehensive, guaranteed, universal health insurance

benefit for all children. It is a top priority for the American Academy of Pediatrics and the Children's Defense Fund, among other endorsing organizations.

**ADDRESSING THE FASTEST GROWING UNINSURED POPULATION:** People age 55 to 65, especially those who are no longer working, have a difficult time purchasing private insurance, but are too young to qualify for Medicare. As a result, this age group is the fastest growing population of uninsured. The Medicare Early Access Act (H.R. 2072) would allow people age 55 to 65 to buy into the Medicare program and receive an advanceable, refundable tax credit to ensure that this coverage affordable.

**IMPROVING COVERAGE OPPORTUNITIES FOR SMALL BUSINESSES:** Sixty-two percent of uninsured workers are in firms with fewer than 100 employees. Small employers cite cost as the main barrier to offering coverage. The Small Business Health Insurance Promotion Act (H.R. 2073) provides tax subsidies to small employers that offer affordable health coverage to their employees through qualified health pooling arrangements.

**EXPANDING HEALTH INSURANCE COVERAGE TO FAMILIES:** The vast majority of the uninsured live in families with incomes below 200% of poverty (\$33,200 for a family of three in 2006). A simple way to expand health insurance coverage to this population is to enroll low-income parents in programs that are currently available to children. The FamilyCare Act (H.R. 2071) provides incentives for states to cover low-income families in existing public programs.

**PROTECTING CONSUMERS:** Advocates of corporate interests make daily attempts to undermine the few consumer protections that exist in today's health system. Stark has consistently fought to preserve and expand consumer protections to ensure that health insurance is affordable, meaningful, and available to everyone. Some examples include: ongoing oversight of the Trade Adjustment Assistance (TAA) Reform Act health care tax credit program, protecting privacy of individually identifiable medical information, prohibiting health insurers and employers from engaging in discrimination on the basis of genetic information and opposing the expansion of renegade Association Health Plans that operate outside the jurisdiction of state insurance laws. In addition, Stark is leading the fight against the proliferation of high-deductible health plans and Health Savings Accounts (HSAs), which simply shift costs to individuals and are responsible for the growth in the under-insured population. HSA plans are primarily a tax shelter for upper-income individuals and place a greater burden for health costs on the backs of consumers while threatening the current employment-based system.

#### OTHER HEALTH INITIATIVES:

**Increasing organ donation:** Stark has long sought to increase organ donation rates in our country. He and Senate Majority Leader Frist

introduced bipartisan/bicameral legislation to present a Congressional Medal of Honor to organ donors, or their surviving family members, to honor them for this gift of life.

**ADDRESSING THE NURSING SHORTAGE:** Stark introduced the Safe Nursing and Patient Care Act (H.R. 791) to provide a federal prohibition on mandatory overtime for nurses. This legislation has the support of every major nursing association and the bipartisan support of more than 100 members of Congress. If enacted, it would encourage nurses to remain in the profession and would improve the quality of care they provide to patients.

## CHILDREN/FAMILIES

As a member of the Ways and Means Subcommittee on Human Resources, Stark is a vocal advocate for policies that support strong families and shield children from abuse and poverty. He advocates on behalf of programs that provide access to childcare and improve standards of care. He supports initiatives that will improve Temporary Assistance for Needy Families (TANF), the nation's welfare program, by making the reduction of child poverty a goal of welfare. Stark has introduced numerous bills to reverse the increase in poverty that has taken place every year of the Bush presidency.

**PAID FAMILY MEDICAL LEAVE ACT:** Building on a successful California law that expands Family Medical Leave Act protections, Stark introduced legislation (H.R. 3192) to provide up to 12 weeks of paid leave for workers to recover from serious illnesses, or to care for a newborn child or ill relative. Stark's bill strengthens families by providing workers with a safety net that pays up to 55% of their basic salary during a time of crisis. Paid family leave also helps employers by increasing productivity and decreasing employee turnover.

**CHILD CARE:** Prior to TANF's reauthorization, 280,000 families were on a waiting list for childcare assistance. As a result of recent changes to the nation's welfare program, hundreds of thousands of additional families will soon need assistance. But supply will not increase to keep pace with demand. According to the Congressional Budget Office, current childcare funding is \$4.1 billion less than what is needed to meet the increase in demand. During TANF's reauthorization, Stark offered an amendment in committee that would have expanded existing support programs and provided assistance to families on the waiting list and to families soon to request help. Unfortunately, the Stark amendment to add \$11 billion in childcare funding over 5 years was defeated on a party-line vote. Numerous governors and state legislatures have indicated that TANF changes amount to unfunded mandate. In response, Stark led a group of Human Resources Committee members in calling for oversight hearings of the implementation of TANF changes.

**ENCOURAGING INTERSTATE COOPERATION FOR PLACEMENT OF FOSTER CHILDREN:** Stark joined with former Majority Leader Tom Delay during his final days in office to pass legislation to improve the ability of foster



children to obtain placement across state lines. This legislation is not a major priority in California, but will help tremendously in smaller states and localities — like the District of Columbia that is 10 miles square and borders both Maryland and Virginia. The bill passed the House and Senate and was signed into law by President Bush.

**PROVIDING A FUTURE FOR FOSTER CHILDREN:** Every year, tens of thousands of foster children “age out” of foster care without any family support or assistance as they transition to adulthood. Many of these children have no financial resources because the state has taken their social security disability or survivors benefits while they were in foster care. No other children in our country are expected to pay for their own care, yet we allow states to use foster children as a source of revenue. Stark brought this issue to the attention of the Ways and Means committee and has been working on legislation that would allow foster children to keep their own social security benefits in set-aside accounts. When foster children leave the system they will then be able to use the money to pay for education, job training, and housing.

**PROMOTING SAFE & STABLE FAMILIES (S. 3525):** Congress recently reauthorized funds for states to prevent child abuse, support and keep at-risk families together, and promote the adoption of foster children. Stark fought hard to secure \$95 million in funding for workforce improvements for child welfare caseworkers. This money will be used to recruit, train, and retain quality caseworkers, who are the first line of protection for at-risk children. The continued distribution of money to states will depend on their progress toward meeting a goal of ensuring monthly caseworker visits to children in foster care.

**GAO REPORT ON FAITH-BASED COMMUNITY SERVICE PROVIDERS:** Stark requested the GAO examine the implementation of President Bush’s Faith Based Initiatives. The GAO found that President Bush’s faith-based initiative is rife with problems. The GAO reported that the initiative lacks adequate safeguards against religious discrimination by recipients of program money. According to the report, 70 percent of agencies questioned by the GAO did not inform recipients about permissible hiring practices. The GAO also found that no standards have been developed to ensure that program funds are not being used for inherently religious activities or the provision of services on the basis of religion. In addition, the faith-based initiative was determined to lack accountability. Few standards have been developed to evaluate the success of the faith-based programs. In short, the Bush Administration provided over \$2 million in funding in 2005 alone to faith-based organizations without any way to measure their usefulness and absent sufficient safeguards against discrimination.

**KEEPING FAMILIES TOGETHER ACT:** Stark is an original cosponsor of bi-partisan legislation (H.R. 5803) that would help to eliminate the practice of parents being forced to relinquish custody of their emotionally disturbed children in order to get the health care services they need. Unfortunately, private insurance often does not cover the prohibitive cost of mental health services. The only way for children to qualify economically for state help with payments for mental health care is for their parents to hand over custody to the state. This bill would provide funding for states to implement programs to provide

services to children while allowing them to remain with their parents.

## EDUCATION

Congressman Stark is a strong supporter of quality public education. Stark has consistently supported and voted for legislation that provides children with access to a superb education in a safe environment regardless of their socio-economic status. Stark also believes that a college education should be obtainable without accumulating huge and burdensome amounts of student loan debt.

**ADEQUATELY FUND NO CHILD LEFT BEHIND:** Since the passage of the No Child Left Behind Act, its mandates have been severely under-funded by the Bush Administration and Republican leaders in Congress. Stark voted against the 2006 Labor, Health and Human Services, and Education Appropriations bill because it failed to adequately fund No Child Left Behind and slashed funding from important educational programs, including the Safe and Drug Free Schools program. Early in 2006, Stark sent a letter to the Congressional Budget Committee urging them to fully fund No Child Left Behind by increasing education funding by \$14 billion.

**HEAD START RE-AUTHORIZATION:** Head Start has been a highly successful program that helps young children's cognitive, emotional, and social development since 1965. Yet the Republicans decided to play politics even with a program as important as Head Start. They wrote religious discrimination into the law by allowing faith-based providers to engage in previously illegal employment discrimination on the basis of religion. As a result, and despite his strong support for Head Start, Stark voted against its re-authorization.

**MAKE COLLEGE AFFORDABLE AGAIN:** Stark is a cosponsor of the College Affordability and Accountability Act (H.R. 2739) and the College Opportunity for All Act (H.R. 2949). These bills would increase the maximum Pell Grant amount, lower interest rates and fees on student loans, simplify the student aid process, and provide loan forgiveness for those going into certain public service careers. Stark voted against the misnamed College Access and Opportunity Act (H.R. 609) because it did nothing to roll back the \$12 billion in Republican budget cuts to student aid or reduce the unnecessary and above-market interest rates on student loans.

## TAXES

Stark believes that tax relief should benefit middle-class Americans, not the wealthiest among us. The Bush Administration continues to give billions in tax breaks to millionaires while giving little if any relief to those making under \$50,000 a year. Mr. Stark voted against permanent repeal of the estate tax and against the extension of Bush's tax breaks for the wealthiest Americans.

Protecting Taxpayers's Privacy: In April 2006 the IRS announced a plan that would have made it easier for paid tax preparers to use or sell personal taxpayer information for non-tax purposes. Taxpayers should not be subject to unwelcome solicitation merely because they paid to get their taxes done at H&R Block. Mr. Stark authored the Taxpayer Privacy Act (H.R. 5075), to make sure that taxpayer information isn't used for other purposes or sent overseas for preparation without permission.

## TRADE

Bush Administration trade policy is failing. Current trade negotiations are more concerned with corporate profits than American workers. Not only does the U.S. faces record trade deficits, we are also sending millions of good paying American jobs overseas. Free and fair trade between countries requires a level playing field where all parties have strong labor and environmental protections. The Bush Administration refuses to require U.S. trading partners to meet even the most basic international labor and environmental standards.

Stark voted against CAFTA and the Oman and Bahrain free trade agreements because the Bush Administration refused to include basic labor and environmental standards in the text of the agreement. These trade pacts also limit access to affordable generic medicines in countries that can barely afford medicine at all. Stark will continue to oppose free trade agreements with any country unless the Administration reverses course and changes the agreements to protect labor rights, the environment and access to affordable pharmaceuticals.

Eliminating trade barriers and reducing tariffs can be positive for U.S. based exporters. Stark voted in favor of extending normal trade relations status to the Ukraine. Increased trade will bring stability to this burgeoning democracy and provide the resources necessary for the Ukraine to continue improving its labor and environmental standards.

Trade Sanction Avoidance Act: The U.S. has a long history of ignoring basic international obligations. We refuse to join the International Criminal Court, we won't sign the Kyoto Treaty, and we pulled out of the Anti-Ballistic Missile Treaty. So it came as no surprise when on February 12, 2006 the World Trade Organization (WTO) Appellate Body &ndash; for the third time &ndash; found that U.S. corporate tax laws violate WTO rules.

Stark reacted immediately to this news by authoring, H.R. 4909, the Trade Sanction Avoidance Act. This bill protected American manufacturers from being subjected to hundreds of millions of dollars

in retaliatory trade sanctions. Fortunately, the trade sanction crisis was averted when language similar to Stark's bill was signed into law as part of the Tax Increase Prevention and Reconciliation Act (H.R. 4297).

## LABOR

Mr. Stark is a leading Congressional advocate for workers' rights. That means he strongly supports — and works to protect — workers' rights to organize. As cost pressures impact the work environment, Stark is committed to expanding health coverage, improving workplace standards, and promoting fair trade policy.

In the wake of Hurricane Katrina, the Bush Administration attempted to eliminate the Davis-Bacon prevailing wage law for federal reconstruction contracts. In a victory for workers, President Bush reversed his decision after receiving a letter signed by Mr. Stark and 111 other members of Congress. Federal contract workers in hurricane stricken areas are now receiving a livable wage for their hard work.

Increasing the minimum wage: Everyone who puts in an honest day's work should receive an honest day's pay. The minimum wage has not been increased since 1997, and Mr. Stark supports legislation to end this injustice. He is an original cosponsor of the Fair Minimum Wage Act, which would increase the minimum wage to \$7.25 over the next two years.

In July 2006 Republicans finally ceded to Democratic pressure by allowing a vote on a minimum wage increase. Unfortunately, they attached an \$800 billion estate tax break for the 7,500 wealthiest families in America to a bill that should have focused on increasing the wages of low-income workers from \$5.15 to \$7.25. It is immoral to attach a wage increase for the working class to a tax break for millionaires. The House passed this bill on July 29th, and it is awaiting action in the Senate.

## SOCIAL SECURITY

All Americans should be able to retire with dignity. Stark is firmly committed to protecting, preserving, and improving Social Security. He opposes efforts to dismantle our most popular social program and believes privatization would cut guaranteed benefits. Stark recognizes Republican proposals for what they really are — a scheme to limit the Federal Government's liability for the program as part of an "on your own" agenda. Though there is no Social Security crisis, privatization could create one by worsening the program's long-term finances.

In 2005, Republicans made privatizing Social Security a top agenda item. Stark promptly sent a newsletter to his constituents about the

dangers of privatization. Working with his Democratic colleagues in Congress and senior citizen and advocacy groups across America, Stark helped defeat the Republican proposal.

Unfortunately, Republicans haven't given up. President Bush included his privatization plan in the latest budget he sent to Congress. Despite cutting \$6.3 billion benefits and reducing payments to 16 and 17 year old children who have lost their parents, President Bush's privatization scheme costs \$712 billion over the ten-year budget window (2007-2016). Republican Congressional promised action on a similar plan if they continue to control Congress in 2007.

## JUDICIAL ISSUES

The Republican campaign against "activist judges" and frivolous lawsuits has been a rallying cry for an underhanded effort to weaken civil rights and encroach on the independence of the judicial branch. The record shows that, to the Republicans, the definition of activist judge is a judge who disagrees with them and the definition of frivolous lawsuit is a lawsuit that goes against a Republican-leaning interest group or industry.

Stark voted against the Federal Marriage Amendment (H.J.Res. 88), which for the first time ever would amend the Constitution to exclude a particular group of Americans from equal rights under the law.

He has worked against legislation that would put an arbitrary \$250,000 cap on non-economic damages in cases of medical mistakes and make it easier for corporations to delay trials by filing redundant motions.

There are more extreme proposals that, thankfully, have not come to the House for a vote, but which Stark vigorously opposes, including legislation that would allow Congress to overturn a Supreme Court decision and legislation that would bar courts from ruling on the constitutionality of displaying the Ten Commandments in public places.

The Constitution is meaningless if Congress can just pass laws and throw in a line to keep them from being held unconstitutional. Stark will continue to stand up for our Constitution and for Americans who depend upon an independent judiciary to protect their rights.

## DEFENSE/ FOREIGN AFFAIRS

Iraq War: Stark strongly opposed the Iraq War from the beginning and voted against the original resolution authorizing President Bush to take military action. As a Member of the Out of Iraq Caucus, Stark has been a vocal advocate for the immediate withdrawal of American troops.

Stark cosponsored several resolutions, including H. Con. Res. 35, H.J. Res. 55, H.J. Res. 73, and H. Con. Res., 197, calling on the President to withdraw or redeploy U.S. troops and to avoid establishing permanent American military bases in Iraq. H.J. Res 73, which is sponsored by Korean and Vietnam War Veteran and Bronze Star recipient Congressman John Murtha, terminates Congressional authority for the deployment of U.S. troops in Iraq and requires their immediate redeployment. He also cosponsored H.R. 5875, which would repeal the Congressional resolution authorizing military force against Iraq.

National Intelligence Estimate: After news reports indicated the April 2006 National Intelligence Estimate concluded that the War in Iraq had spawned a new generation of Islamic terrorists and increased the overall threat of terrorism, Stark called for the report's full declassification and release and wrote to the appropriate Republican committee Chairman to demand hearings on the report. He also cosponsored John Conyers's resolution (H. Res. 1043) calling on the Bush administration to promptly release the April 2006 National Intelligence Estimate and any other pending reports on Iraq.

Iraq Accountability: Stark has pushed for a thorough investigation into the Bush Administration's manipulation of pre-war intelligence. He cosponsored H. Res. 35, a resolution to create a select committee to investigate the Administration's actions during the march to war and to make recommendations regarding grounds for possible impeachment. Stark also cosponsored H. Res. 363, H. Res. 375, and H. Res. 505, calling on the White House to release all information relating to the outing of CIA agent Valerie Plame, the Downing Street Memo, and the White House Iraq Group respectively.

Guantanamo: Stark strongly opposes the Administration's policy toward so-called enemy combatants and the treatment many have received at Guantanamo Bay and other US detention facilities. Regardless of their alleged crimes or the government's suspicions, there is no excuse for denying these individuals their basic rights and due process under international law.

He is a cosponsor of the Military Tribunals Act of 2003 (H.R. 1290), which directs the Secretary of Defense to prescribe rules of evidence, due process and judicial review to apply to the Guantanamo tribunals. It also requires the President to submit annual reports to the Congress on the use of authority under this Act and on each individual subject to or detained for a tribunal. Moreover, it underlines that the President should seek the cooperation of U.S. allies and other nations in conducting investigations and prosecutions of such individuals.

Protecting our nation from terrorists must be a top priority, but we must do it without sacrificing human rights by resorting to brutal, abusive, and horrific tactics employed at Guantanamo Bay and Iraq's Abu Ghraib prison.

Stark believes the United States must be an advocate for human

rights, international law, and democracy throughout the world. America has a responsibility to lead by example. Solving our problems through contempt of basic human rights is not the model we should set for future generations or other nations to follow.

**Defense Spending:** Stark voted against the National Defense Authorization Act and the Department of Defense Appropriations Act for both Fiscal Years 2006 and 2007. Stark opposed these measures because they provided billions for a counterproductive War against Iraq and authorized additional spending on unnecessary weapons systems, including Star Wars missile defense systems and the F/A-22 Raptor.

Stark voted against the Emergency Supplemental Appropriations Act for 2006 (H.R. 4939). The bill provided another \$67.6 billion for the President's so-called "Global War on Terror," but only \$19 billion to help the victims of Katrina. Stark argued the legislation made clear Republicans' preference for wasting money abroad rather than investing in health care and education at home.

Stark also opposed the Emergency Supplemental Appropriations Act for 2005 (H.R. 1268). The legislation allocated another \$82 billion for wasteful military spending, but failed to demand a timeline for withdraw from Iraq or a framework through which to hold war profiteers accountable.

**Nuclear Non-Proliferation:** A lifetime proponent of nuclear non-proliferation, Stark is a cosponsor of H. Res. 373, recognizing the dangers posed by nuclear weapons and calling on the President to initiate and conclude multilateral negotiations for the abolition of nuclear weapons. The resolution affirms America's commitment to the Nuclear Nonproliferation Treaty and supports a "no first use" policy for nuclear weapons.

In May of 2005, Stark wrote to House Armed Services and Appropriations Committee Leaders urging the elimination of funding for so called "bunker-buster" nuclear weapons. In July of 2006, he voted against the United States and India Nuclear Cooperation Promotion Act (H.R. 5682). Stark opposed the measure because he believed America's unilateral agreement with India would encourage an arms race in South Asia, promote weak export controls around the world, and undermine the NPT.

**Military Recruiting:** Stark is committed to making sure the American military maintains high standards in recruiting. He is a cosponsor of the Student Privacy Protection Act (H.R. 551), which prohibits military recruiters from acquiring students' contact information unless they, or their parents, opt-in and agree to have that information made available.

In May of 2005, Stark wrote to U.S. Attorney General Alberto Gonzales and requested he appoint a special counsel to investigate improper activities by military recruiters. He also offered an amendment to the 2006 Defense Authorization bill to require the Government Accountability Office to report to Congress the findings of an investigation of illegal and inappropriate military recruiting tactics.

His GAO report, released August 14, 2006, found that between fiscal years 2004 and 2005, allegations of recruiter wrongdoing increased by 50%, substantiated cases increased by more than 50%, and criminal violations, such as sexual harassment and falsifying documents, increased by more than 100%.

Iran: Stark opposes preemptive military action against Iran and supports a diplomatic solution to the country's nuclear weapons program. He cosponsored H. Con. Res. 391, urging the President not to initiate an attack against Iran without first obtaining Congressional authorization. He also co-sponsored H. Res. 846, requesting the Bush Administration release information relating to any strategies or plans for regime change or the use of military force in Iran. Finally, Stark wrote to President George W. Bush and called on him not to issue a pre-emptive nuclear strike against Iran. Stark also wrote to President Bush to urge him to recognize the atrocities as a genocide during his commemoration statement.

Israel/Lebanon: After fighting broke out, Stark cosponsored H. Con. Res. 450 and called for an immediate ceasefire and multiparty negotiations to end the violence. He voted against H. Res. 921, a singularly pro-Israel resolution that he believed encouraged additional violence rather than a diplomatic solution to the conflict. Stark also wrote to Cyprus President Tassos Papadopoulos to thank the people of Cyprus for assisting American citizens fleeing Lebanon.

## HOMELAND SECURITY

The performance of the Department of Homeland Security (DHS) during Hurricane Katrina showcased the staggering incompetence of this new Department. According to multiple audits, even DHS's signature agency, the \$6 billion-per-year Transportation Security Administration, is no more likely to detect a weapon than screeners prior to September 11.

DHS has failed even in the simple act of distributing money to states and cities for preparedness. In 2005, Wyoming received \$27.80 per capita in homeland security funding while California received only \$8.05. Even the new, supposedly "risk-based" port security grant program has failed. In 2006, it included \$0 for the nation's fourth busiest port, the Port of Oakland, but millions of dollars for 50 tiny ports all over the country. Stark has voted repeatedly to require the DHS to distribute preparedness funds based solely on risk, and continues to work with DHS to ensure that its definition of risk conforms to reality.



Congressman Stark supports a three-point agenda to radically improve Americans' domestic security.

- Allocate funding based solely on risk and without regard to politics.
- Eliminate no-bid contracts and boondoggle technologies that benefit big government contractors but don't enhance security.
- Rejoin the rest of the world community in fighting poverty, respecting treaties, negotiating rather than threatening, and ending our dependence on foreign oil.

## HUMAN RIGHTS

Armenia: Stark would like to see the United States recognize the Armenian genocide for what it was, a genocide. He cosponsored H. Res. 316, calling for the President to properly acknowledge the Armenian Genocide, and H. Con. Res. 195, commemorating the victims of the genocide and urging the Republic of Turkey to acknowledge the culpability of its predecessor state, the Ottoman Empire.

China: Stark is a cosponsor of H. Con. Res. 294, calling on the international community to condemn the Laogai system of forced labor prison camps in the People's Republic of China. These camps have been used as a tool for suppression maintained by the Chinese Government. He also cosigned a letter to Chinese President Hu Jintao to protest the arrest and detention of family members of Uyghur human rights activist Rebiya Kadeer.

Columbia: The United States' War on Drugs has put many of Colombia's people at risk. Stark has joined his colleagues in encouraging Colombia President Uribe Velez to request funds for economic development for anti-poverty programs rather than for military fumigation of cocoa fields. Concerned about human rights violations related to the ongoing conflict between the government and several militia groups, Stark also wrote to the United Nations Commissioner for Human Rights (UNHCR) to express strong support for full renewal of Bogota office's mandate.

Sudan: Stark believes it is high time that the Bush Administration back up its rhetoric of spreading freedom and opportunity to oppressed peoples by taking decisive action to stop the atrocities in Sudan. He supports a United Nations mission to Darfur and wrote to Chinese authorities to encourage them to pressure the Sudanese government to accept such a presence.

Stark cosponsored and voted in favor of the Darfur Peace and Accountability Act (H.R. 3127) which recognized the crisis in Darfur as a genocide and acknowledged the need for American and international involvement. Stark also cosponsored the Darfur Accountability and Divestment Act (H.R. 6140), Congresswoman Barbara Lee's legislation to prohibit government contracts with multinational businesses that maintain business relationships and investments with Sudan.

After learning of pending cuts in United Nations World Food Program rations for the people of Darfur, Stark joined with like-minded colleagues to author a letter to the U.S. Agency of International Development expressing his concern. Stark also joined other California Democrats in writing to the California Public Employees' Retirement System to encourage divestment from Sudan. CalPERS listened to Congressional concerns and subsequently divested from Sudan.

Uzbekistan: As a result of the massacre at Andijan, Stark opposes further financial payments to the Uzbekistani government for the use of Karshi-Khanabad airbase. He cosponsored H. Res. 475 to express his disapproval of these payments and to urges the President to direct the U.S. Permanent Representative to the United Nations to use U.S. influence in the U.N. Security Council to refer the situation of Uzbek President Islam Karimov and the May 2005 to the International Criminal Court.

WHINSEC (School of the Americas): Stark does not believe the United States should train or equip foreign military personnel in torture, extortion and execution. He adamantly opposes federal funding for WHINSEC or its programs and is a cosponsor of the Latin America Military Training Review Act (H.R. 1217). The proposed legislation would close WHINSEC and establish a Congressional task force to study what kind of education and training would be appropriate for the Department of Defense to provide to military personnel in Latin American nations.

## CIVIL LIBERTIES

Congressman Stark strongly opposes all of the Bush Administration's efforts to go outside the bounds of the law and the Constitution. He has worked to put a stop to warrantless wiretapping and collection of phone and banking records.

Stark is a cosponsor of the NSA Oversight Act (H.R. 4976), which requires the President to seek warrants for any electronic surveillance. He also joined Rep. John Conyers in introducing legislation to establish an independent commission to investigate the warrantless wiretapping that has already occurred.

Stark has always opposed the Patriot Act and voted against reauthorizing the temporary provisions earlier this year. As a member

of the bipartisan Patriot Act Reform Caucus, Stark has brought attention to the most egregious parts of the law and worked to improve or repeal them.

Stark is a cosponsor of the Stop Self-Authorized Secret Searches Act (H.R. 2715), which would add due process protections to "National Security Letters" that are sent to businesses by the FBI to demand information about their customers.

Because of the serious, repeated, and recalcitrant nature of the Bush Administration's repeated violations of American's most fundamental Constitutional rights, Stark is also cosponsor of legislation (H. Res. 365) to investigate grounds for impeachment.

## IMMIGRATION

Stark believes that our dysfunctional immigration system must be fixed so that we have a stable, legal workforce where jobs are offered to American citizens and permanent residents first and so that there are sufficient legal channels for immigrants to fill remaining jobs. The Secure America and Orderly Immigration Act (H.R. 2330) would create a system whereby, if a job went unfilled by American citizens, the person who filled that job would be able to get a temporary visa and, if they kept the job for a long period, earn legal immigration status. The system would require criminal background checks and a demonstrated understanding of English and civics.

## WOMEN'S ISSUES

Congressman Stark is unequivocal in his support for protecting women's reproductive health. It is a sad statement of the times and the willingness of the right wing to play political games with women's lives that the right to birth control; unbiased, scientifically accurate sex education; and compassionate, comprehensive care for rape victims is in jeopardy. Stark is a cosponsor of legislation that would:

- Require hospitals to provide the option of emergency contraception (also known as the "morning after" pill) to rape victims;
- compel health insurance companies to provide coverage for prescription contraceptive drugs;
- ensure that federally funded sex education programs be medically accurate;
- oblige pharmacies to fill any legal prescription;
- and, repeal the Global Gag Rule.

Stark also supports a positive agenda to break through the final barrier of sex and gender discrimination. He supports legislation that would:

- Close the gender pay gap;
- expand the Violence Against Women Act by providing economic security for victims of violence and enhanced protection of victims' personal information;
- and, rescind recent changes that weakened Title IX rules for intercollegiate athletic opportunities for women.

## ETHICS/LOBBYING REFORM/CAMPAIGN FINANCE REFORM

Stark is committed to cleaning up the culture of corruption in Congress. He is a cosponsor of Democratic Leader Nancy Pelosi's Honest Leadership and Open Government Act (HR 4682). This comprehensive legislation would prohibit privately funded travel and gifts, require open conferences when negotiations take place, strengthen requirements for lobbyist reporting and lengthen limits on the revolving door between Capitol Hill and corporate advocacy.

Stark is also a cosponsor of bipartisan legislation to refine the earmark process (the process by which Members of Congress are able to fund particular projects in their districts) so that it is both more transparent and fair.

Under Republican leadership, Congress failed to enact any meaningful ethics reform. The only bill to move forward was a weak proposal to assign names to earmark provisions in House-passed bills. However, the bill was full of loopholes and so narrowly written that it didn't amount to meaningful reform.

The fact is that the Members of Congress who have been found guilty of wrongdoing in this Congress all violated the existing rules on the books because they simply haven't been enforced. Proposals to strengthen existing laws may improve the situation, but they will not eliminate corruption in Washington. The only way to clean up our politics is to reduce the importance of money in campaigns.

**Public Financing of Campaigns:** Stark is a cosponsor of the "Clean Money, Clean Elections" bill (H.R. 3099) which would create a publicly financed campaign system. The legislation creates a voluntary system that gives candidates an option to forego private funding without having to "unilaterally disarm." The bill does so by providing public funds to candidates and establishing voluntary campaign spending limits. If a candidate exceeds these limits, matching funds are given to their "Clean Money" opponent.

## ENVIRONMENT

The quality of life of all Americans and the survival of the human species depend on a healthy environment. The short-term interests of corporations to pollute and developers to find cheap land to create more sprawl must never take precedence over environmental protection. Congressman Stark proudly maintains a 100% voting record with the League of Conservation Voters.

## CALIFORNIA

Stark was able to put the Bay Area delegation on record requesting a 900-acre Wildlife Refuge as part of the redevelopment of the closed Alameda Naval Air Station.

He is an original cosponsor of the Northern California Coastal Wild Heritage Wilderness Act (H.R. 233), which would designate areas of Humboldt, Mendocino, and Napa counties as part of the National Wilderness Preservation System. A national wilderness area must remain in its natural, undeveloped state. The wilderness designation protects the land from commercial development, motorized vehicles, and road building.

Stark is an original cosponsor the Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act (H.R. 296) that would add additional lands in Marin and San Mateo Counties to the existing Golden Gate Recreation Area. This extension would protect over 4,500 acres of vital coastal watersheds and habitat for threatened species, such as the coho salmon.

Stark is a cosponsor of the Southern Sea Otter Recovery and Research Act (H.R. 2323), which would fund a recovery program for southern sea otter populations along the coast of California. He cosponsored and voted for Angel Island Immigration Station Restoration and Preservation Act (H.R. 606), which will provide federal funding to restore Angel Island Immigration Station in San Francisco Bay. The bill was signed into law on December 1, 2005.

Stark also cosponsored and voted for legislation (H.R. 360) to provide for the preservation of historic confinement sites where Japanese Americans were interred during World War II. The bill passed the House and awaits consideration by the Senate.

## CLEAN WATER

Stark is an original cosponsor of the Clean Water Authority Restoration Act (H.R. 1356), which would ensure that streams, ponds, wetlands and other non-navigable waters are protected under the Clean Water Act (CWA). Recent Supreme Court decisions have cast doubt on whether or not the CWA applies to critical wetlands that happen to not be physically adjacent to navigable surface waters. This bill protects all waters in the United States under the CWA.

He is also an original cosponsor of the Clean Water Protection Act (H.R. 2719), which would overturn Bush Administration regulations that allow mining companies and other industries to dump fill and other waste material into streams and wetlands, and the Clean Cruise Ship Act (H.R. 1636), which would prohibit cruise vessels entering U.S. ports from discharging sewage or bilge water.

Stark is a cosponsor of the Clean Water Infrastructure Financing Act (H.R. 2684), which would provide \$25 billion in additional federal funds to help States and localities build and maintain wastewater treatment facilities, and the Safe Drinking Water for Healthy Communities Act H.R. 213, which requires the Environment Protection Agency to regulate the concentration of perchlorate in drinking water.

Additionally, Stark is a cosponsor of legislation (H.R. 4800) that would amend the Toxic Substances Control Act in order to implement numerous international treaties, including the Stockholm Convention, on toxins and pollutants. This bill would set a baseline regulatory scheme for controlling toxic pollution, but would still allow states to implement more protective standards. Flexibility is particularly important in the San Francisco Bay area, which has some of the nation's strongest restrictions on the use of toxic chemicals. Under other bills that would implement the Stockholm Conventions, many of California's strong regulations would be overridden by weaker federal laws.

## GLOBAL WARMING

Manmade greenhouse gases are already wreaking havoc, raising temperatures throughout the United States and the world. They're also melting polar ice caps at alarming rates, threatening island communities, raising surface water temperatures, and devastating marine life. Rather than wait for the full and devastating impact of global warming to occur, Stark supports taking immediate action to save our planet.

Stark is a cosponsor of two bills that would cap and gradually reduce greenhouse gas emissions. The Climate Stewardship Act (H.R. 759) would reduce greenhouse gas emissions levels to the 2000 level by 2010 and would expand research into initiatives to combat global warming. The

Safe Climate Act (H.R. 5642) calls for a 2% yearly reduction in emissions beginning in 2010 and provides an enforcement mechanism. Stark is also an original cosponsor of a resolution (H. Res. 515) requiring the Bush Administration to submit to Congress all documents in its possession relating to the anticipated effects of climate change on the coastal regions of the United States.

## OIL DRILLING

Stark has always voted against expanding offshore oil and gas drilling that is currently allowed only in the central and western Gulf of Mexico and Alaska. These drillable areas contain 80% of the country's offshore reserves. Scarring more of our coastline would be foolhardy and temporary. Stark voted against the Deep Ocean Energy Resources Act (H.R. 4761), which would offer states like California huge financial incentives for opening their waters to drilling. He is also an original cosponsor of the California Ocean and Coastal Protection Act (H.R. 4782), which would permanently ban drilling off of California's coast.

Stark also voted against opening the Arctic National Wildlife Refuge to drilling and is a cosponsor of the Udall-Eisenhower Arctic Wilderness Act (H.R. 567), which would designate ANWR as protected wilderness. The annual debate on ANWR (which contains at most a six-month supply of oil) is a waste of time and should be put to rest once and for all so we can focus on reducing consumption and finding alternative sources of energy.

## WILDERNESS PROTECTION

Stark is a cosponsor of the bipartisan National Forest Protection and Restoration Act (H.R. 3420) that would end commercial logging on National Forest land, phasing out existing logging contracts over 2 years.

Stark is also an original cosponsor of the National Forest Roadless Area Conservation Act (H.R. 3563) to preserve 58 million acres of pristine forests throughout the United States from commercial logging by overturning Bush Administration amendments that have weakened the Clinton Administration Roadless Rule.

Stark is a cosponsor of the Alaska Rainforest Conservation Act (H.R. 11155) that would set aside the pristine Tongass and Chugach National Forests as protected wilderness. Stark also voted in favor of an amendment to the Fiscal Year 2007 Interior Appropriations bill that would prohibit federal subsidies for building logging roads in the Tongass National Forest. The amendment passed by a vote of 237-181.

Stark is an original cosponsor of the America's Red Rock Wilderness Act

(H.R. 1774), which would designate 9.5 million acres of Utah's spectacular red rock country as wilderness. Currently, the U.S. Bureau of Land Management (BLM) owns the land, but BLM is not prohibited from selling part of the area for development.

Stark is an original cosponsor of the Rockies Prosperity Act (H.R. 1024) that would set aside 18 million acres of pristine public lands in Montana, Idaho, Wyoming, Washington, and Oregon as protected wilderness.

Stark voted for the Trail Responsibility and Accountability for the Improvement of Lands (TRAIL) Act (H.R. 975) to raise penalties for individuals who intentionally inflict damage to federal lands and set a minimum fine of \$500 for individuals who violate fire bans on federal lands. The bill passed the House and awaits consideration by the Senate.

## WILDLIFE

Stark voted against Representative Pombo's Threatened and Endangered Species Recovery Act (H.R. 3824), which would gut the Endangered Species Act and grant unprecedented and immeasurable subsidies to landowners. The bill passed the House and awaits consideration by the Senate.

Stark is a cosponsor of the Salmon Planning Act (H.R. 1615), which would require planning to preserve salmon in the Columbia River basin.

## ENERGY

Congressman Stark has long believed that the U.S. cannot depend on fossil fuels because they are expensive, polluting, contribute to war and global unrest, and will run out within the next 50-100 years. Reducing America's reliance on foreign oil and advancing clean energy technologies, if done thoughtfully, can create millions of new American jobs and revitalize the country's manufacturing base.

Of all the oil used in the United States, 40 percent is for passenger vehicles, which is why raising fuel economy standards is the most important step to reducing consumption and, ultimately, lowering gas prices. Stark voted for an energy bill amendment that would have raised fuel economy to 33 miles per gallon, saving 1.1 million barrels of oil a day by 2015 and 2.6 million barrels by 2025. Unfortunately, the amendment failed by a vote of 177-254. He is also a cosponsor of legislation to raise fuel economy standards to 45 miles per gallon.



Stark is a cosponsor of the New Apollo Energy Act (H.R. 2828), which would require utilities to generate a certain portion of their energy from renewable sources, provide tax incentives to encourage American businesses and consumers to purchase clean energy technologies and renewable energy, radically increase funding for clean energy technology research and development, and require the federal government to purchase clean energy and create state-of-the-art energy savings programs in federal offices.

Stark is also a cosponsor of the Energy Efficiency Cornerstone Act (H.R. 3263), which would set higher efficiency standards for everything from buildings to appliances. More energy has been produced by energy conservation since the early 1970s than any other single energy source, and yet it is still virtually an untapped resource in this country.

He is a cosponsor of the Taxpayer Protection Against Wasteful Energy Credits Act (H.R. 837), which repeals the boondoggle subsidy for so-called "clean coal," and the Energy Fairness for America Act (H.R. 5300), which would terminate all subsidies and tax breaks for oil companies.

Stark voted against all efforts by the Republican Congress to increase coal, gas, and oil subsidies and overturn environmental regulations to encourage exploration and drilling on pristine lands. Instead, he cosponsored the No Special Tax Subsidies for Gas Guzzlers Act, which would repeal the depreciation and gas-guzzler tax loopholes for SUVs.

## ANIMAL RIGHTS

Stark works to ensure the safe and humane treatment of all animals.

He cosponsored and voted for the American Horse Slaughter Prevention Act (H.R. 503), which would effectively end the slaughter of horses and the national and global transport for human consumption as well as of horses for human consumption. The bill awaits consideration by the Senate.

He is also a cosponsor of the Downed Animal Protection Act (H.R. 3931) to make it unlawful for any stockyard owner, market agency, or dealer to trade, market, hold or drag any non-ambulatory livestock unless the livestock has been humanely euthanized.

Stark is a cosponsor of the Pet Animal Welfare Statute (PAWS) (H.R. 2669) that would strengthen the Animal Welfare Act (AWA) and ensure the safety and protection of animals in commercial breeding facilities.

He is also a cosponsor of the Animal Fighting Prohibition Enforcement

Act (H.R. 817) that would increase the imprisonment penalty for animal fighting violations and would make it unlawful to transport instruments used for bird-fighting. The bill passed the Senate and awaits consideration by the House.

## FAIRNESS IN THE NATIONAL FLOOD INSURANCE PROGRAM

Several years ago, national agencies updated the flood maps in Alameda County. As a result, thousands of residents of San Leandro and Fremont were forced to buy flood insurance -- on short notice and after the official community appeal window had closed. Many residents subsequently hired surveyors -- at their own expense -- and were eventually found to have been incorrectly placed in the floodplain.

In response, Stark successfully passed an amendment to the Flood Insurance Reform and Modernization Act of 2006. His amendment requires FEMA to send notification by first-class mail to anyone added to a floodplain in advance of the 90-day appeal period.

If the Senate approves this legislation, every homeowner in the country who is added to a floodplain will be able to appeal with his or her neighbors at no cost. Because FEMA is currently modernizing and computerizing its maps, Stark's amendment would impact nearly all residents of the 20,000 "communities" nationwide that participate in the National Flood Insurance Program.

## BRINGING FEDERAL RESOURCES TO CALIFORNIA'S 13th DISTRICT

In the 109th Congress, Stark has secured millions of dollars for projects identified as high priorities by local communities within the 13th Congressional District.

Location

Project

Funding

AC Transit

Welfare-to-work reverse commute bus service from  
lower-income neighborhoods to employment centers

\$5,000,000

AC Transit

Telegraph Ave./International Blvd./East 14th  
St. Bus Rapid Transit

\$418,000

Alameda

Expand public transportation to Alameda Point

\$1,672,000

Alameda

Park Street Business District revitalization

\$700,000

Alameda County

Another Road to Safety program, which reduces the number of children entering the Child Protective Services system by providing intervention to at-risk families

\$650,000

Alameda County

Transportation improvements in I-880 corridor

\$400,000

Alameda County

Children's Assessment Center, which allows professionals to make placement decisions in a child-friendly environment for children removed from their homes by Child Protective Services

\$300,000

Alameda County (San Lorenzo)

East 14th St. revitalization

\$600,000

Don Edwards-San Francisco Bay National Wildlife Refuge

Wetlands restoration of the salt ponds in the South Bay

\$1,080,000

Fremont

I-880/Mission Blvd. interchange expansion

\$4,450,000

Fremont

Laguna Creek flooding prevention study

\$104,000

Fremont

Technology upgrades for police vehicles

\$100,000

Fremont

Upgrades and safety renovations to the Kidango Rix  
Child Care Center

\$97,000

Hayward

I-880/92 interchange expansion

\$1,400,000

Hayward

Rebuild and expand the Tiburcio Vasquez Health Center

\$250,000

Newark

Construct overpass at Central Ave. to avoid railroad crossing

\$600,000

San Francisco Bay Trail

Construction of a bridge between Oyster Bay Regional Park in San Leandro and Metropolitan Golf Course in Oakland

\$600,000

San Leandro

Estudillo Canal flooding prevention study

\$779,000

San Leandro

Maintenance dredging of the Jack D. Maltester  
Channel/San Leandro Marina

\$675,000

San Leandro

Expand I-880 overpass at Davis St.

\$600,000

San Leandro

East 14th St. revitalization

\$350,000

San Leandro

Construction of the San Leandro Senior Citizens Center

\$97,000



Union City

Union City Intermodal Station

\$4,053,000

## HELPING CONSTITUENTS WITH GOVERNMENT

During the course of the 109th Congress, Stark and his staff have resolved approximately 2500 cases for constituents. His office did everything from track down missing Social Security checks to assist constituents in pursuit of their claims before the government. Often, constituent work allowed family members in the United States to reunite with family members overseas. It is always a privilege to be of help to the people of the 13th Congressional district with their federal concerns.

Below are examples of actual cases that have been successfully resolved by the Stark team:

### SSI / Medicare

An elderly woman relying on SSI as her only income received a bill from Medicare for \$786 in premiums. The State is supposed to pay the Medicare premiums of those on SSI. In response to Stark's inquiry, the State corrected the error and reinstated her premium payments.

### SSA Disability

A disabled constituent was terminally ill with cancer. As a result of Stark's inquiry, her claim was expedited and she received a retroactive payment of \$9,782.00.

### SSA Retirement

A constituent receives a pension from the Philippine government in addition to his Social Security benefits. The Social Security Administration (SSA) was giving the foreign pension a US dollar value

of \$1000/month, and offsetting his Social Security benefit accordingly. The true US value was only \$258. As a result of Stark's inquiry, the SSA corrected the record, increased his Social Security amount, and sent him a retroactive payment. As a result, the constituent realized he was also eligible for SSI.

#### SSA Scrambled Earnings

A constituent was denied Social Security retirement benefits because he had legally used 3 different names and 3 different Social Security numbers during his life, causing confusion in his earnings record. As a result of Stark's inquiry, SSA reviewed all the records, and was able to process his benefit claim.

#### Department of State / Passport Agency

A Family of 4 applied for passports, and the children's never arrived. The parents called the passport agency 6 times in a month, but were told the passports could not be expedited until after their vacation was scheduled to begin. As a result of Stark's inquiry, the family as able to pick up their passports before their vacation.

#### Department of State

Stark's office encouraged the Refugee Resettlement Program to consider a constituent's eligibility for refugee resettlement based on the fact that he was in a POW camp for 3 years.

#### Department of State

The Consulate in Chennai denied an immigrant visa for a constituent's sister because they thought she had overstayed a visitor's visa. She had not overstayed, but had applied for and was granted an extension. As a result of Stark's inquiry, she was scheduled for another interview and granted a visa.

#### Department of State

Stark requested the expedited processing of an immigrant visa for a two year old before the mother's visa expired so that the child and her mother could immigrate at the same time.

#### Army

A highly decorated veteran was having problems with the computation of her retirement pay. She had sent in complete documentation 4 times and attempted to contact the proper authorities 6 times, with no reply. Stark was able to get the Army to correct her record.

#### National Personnel Records Center

Oak Knoll Naval Hospital has been closed a number of years. A constituent and doctor were having difficulty retrieving records of a surgery conducted at the hospital. As a result of Stark's inquiry, the records were made available in time to be useful for a subsequent surgical procedure.

#### Defense Finance and Accounting Service

A Veteran had been trying for a year and a half to be reimbursed for his living quarters allowance during a period when he was working overseas. As a result of Stark's inquiry, a complete review of his overseas assignment was conducted. The records were corrected and he received \$15,707.

#### Golden Gate National Cemetery

A constituent's father was a WWII veteran and his dad's last wish was to be buried at Golden Gate National Cemetery. It is commonly known that the cemetery has been full for years. As a result of Stark's inquiry, the cemetery found a spot in which to bury the constituent's father.

#### Veterans Administration Medical Center

A 100% disabled Vietnam veteran received an implanted pacemaker at the VA in Palo Alto. The pacemaker malfunctioned, resulting in a medical emergency that forced the veteran to obtain care at the closest hospital. Because no beds were available at VA facilities, the veteran was unable to transfer and remained at a non-VA facility. The VA subsequently denied medical costs of approximately \$68,000. As a result of Stark's inquiry, the VA reconsidered the claim and paid the hospital bill.

#### Centers for Medicare & Medicaid Services

Medicare notified a Kaiser beneficiary that she was no longer enrolled in Medicare Part A or Part B. As a result Kaiser disenrolled the beneficiary as well. Stark inquired with SSA who found the error, corrected it, and reinstated her Kaiser plan.

#### Citizenship and Immigration Services

A constituent suffered a swimming accident that left him on a ventilator with no chance of survival. Stark worked with officials in Ho Chi Minh City, Vietnam to obtain an emergency visa and passport for his mother, who as a result, was able to see her son before his passing.

#### Citizenship and Immigration Services

A registered nurse needed to travel overseas both on business and to renew an expiring work visa. Her documents were approved, but over a year later she had not received them. Three weeks before her departure,

Mr. Stark's office requested an expedited review, and the constituent received the documents she needed in time to make her scheduled flight.

#### Citizenship and Immigration Services

An individual was in jeopardy of being deported because both his mother father, a War II veteran who acquired US citizenship through his military service, died before he could legalize his status through them. With Stark's help, Immigration and Customs Enforcement terminated deportation proceedings.

#### Citizenship and Immigration Services

After coming to the US for high school on an exchange program, a student filed the necessary papers to allow her to stay in the US to attend college. She enrolled in college, but subsequently found her student visa denied because US Citizenship and Immigration Services found her original status invalid. The university was unable to resolve the problem. But Stark's office sorted out a very complicated set of mishaps, and immigration officials approved her student visa, allowing her to stay in the US and complete her nursing studies.